

# FARMLAND PROTECTION POLICY ACT

## OVERVIEW

The Farmland Protection Policy Act (FPPA) of 1981 and Memoranda on Farmland Preservation, dated August 30, 1976, and August 11, 1980, require federal agencies to include assessments of the potential effects of a proposed project on prime and unique farmland. Under requirements set forth in these policies, federal agencies must determine these effects before they take any action that could result in converting designated prime or unique farmland for nonagricultural purposes. If implementing a project would adversely affect farmland preservation, the agencies must consider alternatives to lessen those effects. Federal agencies also must ensure that their programs, to the extent practicable, are compatible with state, local, and private programs to protect farmland. The [Natural Resources Conservation Service \(NRCS\)](#) is the federal agency responsible for ensuring that these laws and policies are followed.

## WHO NEEDS TO COMPLY?

FPPA requirements apply to all CALFED actions that are located on federal land, sponsored by a federal agency, or funded with federal monies, and that involve prime or unique farmland as identified by the NRCS. The FPPA does not cover private construction subject to federal permitting and licensing on nonfederal land or projects proposed on land already in or committed to urban development or water storage.

## HOW LONG DOES THE APPROVAL PROCESS TAKE?

Compliance with the FPPA is usually incorporated into the NEPA process. See [“National Environmental Policy Act”](#) earlier in this chapter for a description of time frames for preparation of environmental reports.

## WHAT INFORMATION DOES THE APPLICANT NEED TO PROVIDE?

Before taking any action that would result in conversion of designated prime or unique farmland to nonagricultural land, a federal agency must examine the potential impacts of the proposed action. To rate the relative impact of projects on sites subject to the FPPA, federal agencies complete the [Farmland Conversion Impact Rating Form](#) (Form AD-1006). Required information includes detailed project information (location, total acres, type of project, etc.) and a numerical evaluation of the project’s impact to farmland.

## WHAT IS THE FEE?

There is no fee to comply with the FPPA. There is, however, a fee for NEPA compliance. See [“National Environmental Policy Act”](#) earlier in this chapter for details.

## WHAT DOES THE APPLICATION AND EVALUATION PROCESS ENTAIL?

The Farmland Conversion Impact Rating Form is based on the Land Evaluation and Site Assessment System (LESA). LESA is a numerical system that measures the quality of farmland. LESA systems have two components. The land evaluation element rates soil quality; the site assessment component measures other factors that affect the farm's viability, such as proximity to water and sewer lines and the size of the parcel. In general, the higher the LESA score, the more appropriate the site is for protection.

Under FPPA, federal agencies that sponsor a project must complete a site assessment. The NRCS is responsible for the land evaluation component. Sites that receive a combined score of less than 160 do not require further evaluation. Alternatives should be proposed for sites with a combined score greater than 160 points. On the basis of this analysis, a federal agency may (but is not required to) deny assistance to private parties and state and local governments that undertake projects that would convert farmlands.

## DOES THIS PROCESS TRIGGER THE NEED FOR COMPLIANCE WITH OTHER REGULATIONS?

Compliance with the FPPA is usually incorporated into the NEPA process. The FPPA does not trigger any other environmental compliance requirements.

## WHAT ARE THE OPPORTUNITIES FOR FACILITATING COMPLIANCE WITH THIS PROCESS?

The following are recommended steps to simplify and streamline compliance with the FPPA for CALFED actions.

- **Consult and coordinate efforts with the NRCS early on projects that may affect farmland.** By coordinating early with NRCS, the project proponent will be able to develop alternatives to avoid or minimize effects on farmland. In addition, appropriate mitigation may be incorporated into the project design to further achieve compliance.
- **Use the mitigation strategies described in the CALFED Bay-Delta Program Final Programmatic Environmental Impact Statement/Environmental Impact Report (PEIS/EIR).** The PEIS/EIR addresses effects on farmland at a programmatic level. Chapters 4 and 7 of the document analyze the impacts of the Preferred Program Alternative and the other alternatives on prime and unique farmland and provide mitigation strategies. The mitigation strategies outlined in Chapter 7 should serve as a foundation for project-specific actions.

[Go to Next Regulation](#)